

MINUTES
COMMITTEE ON LAW & LICENSING

March 12, 2013 - 2:00 p.m.
Common Council Chambers, City Hall

Members Present: Chairperson Ald. Jodi VanderWeele, Vice Chairperson Ald. Kevin Matichek, Ald. Susan Lessard, Ald. Scott Lewandoske
Excused: Ald. Julie Kath
Others in Attendance: Assistant City Attorney Charles C. Adams, Lt. Douglas Teunissen, City Clerk Sue Richards, Jim Amodeo, Michael LoCicero, Robert A. Macedo, Daniel Tullberg, Ryan D. Lahner, Nancy T. Loya, Jessica L. Mischler, Scott A. Sonnemann, Christine A. Stangel, Darrell L. Van Sluys, Abraham Loya, William Skirvin

Chairperson VanderWeele called the meeting to order at 2:00 p.m.

The Pledge of Allegiance was recited.

Introduction of committee members, staff and guests.

A motion to approve the minutes of the previous meeting held February 26, 2013 was made by Ald. Matichek and seconded by Ald. Lessard. **All ayes; motion approved.**

R.O. No. 263-12-13 (2-4-13) – Various License Applications: Bev. Op. Lic. App. No. 9384 (Robert A. Macedo)

Submitting various license applications for the period ending June 30, 2013 and June 30, 2014.

Robert A. Macedo appeared before the committee to discuss his application. After discussion of his record and his failure to include a violation on his application, Ald. Lessard moved, seconded by Ald. Matichek, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **All ayes; motion approved.**

R.O. No. 277-12-13 (2-18-13) – Various License Applications: “Class B” Liquor Lic. App. No. 2966-Beyond Sunset (Daniel Tullberg, Agent); Bev. Op. Lic. App. Nos. 9887 (Matthew D. Daily), 7048 (Michael J. Stuedemann), 9880 (Leon A. Velez), 7341 (Juana V. Villa); Taxicab Op. Lic. App. Nos. 7320 (Ryan D. Lahner), 9882 (Nancy T. Loya), 9883 (Jessica L. Mischler), 9884 (Marilyn Razo-Valle), 9886 (Scott A. Sonnemann), 4943 (Christine A. Stangel), 9876 (Darrell L. Van Sluys)

Submitting various license applications for the period ending June 30, 2013 and June 30, 2014.

Daniel Tullberg appeared before the committee to discuss the “Class B” liquor license application of Beyond Sunset. After discussion of his record and his failure to include a violation on the application, Ald. Matichek moved, seconded by Ald. Lessard, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **All ayes; motion approved.**

Matthew D. Daily failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Mr. Daily’s appearance before the committee at its March 26th meeting. **All ayes; motion approved.**

Michael J. Stuedemann failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Mr. Stuedemann's appearance before the committee at its March 26th meeting. **All ayes; motion approved.**

Leon A. Velez failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Mr. Velez's appearance before the committee at its March 26th meeting. **All ayes; motion approved.**

Juana V. Villa failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Ms. Villa's appearance before the committee at its March 26th meeting. **All ayes; motion approved.**

Ryan D. Lahner appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Matichek moved, seconded by Ald. Lessard, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **All ayes; motion approved.**

Nancy T. Loya appeared before the committee to discuss her application. After discussion of her record and her failure to include a violation on her application, it was determined that Ms. Loya had moved back to Wisconsin from Illinois approximately two months ago. Ms. Loya was informed that all applicants for a beverage operator's license need to have been a Wisconsin resident continuously for at least 90 days prior to the date of application. Ms. Loya indicated that she will withdraw her application at this time and apply again at a later date. Ald. Lessard moved, seconded by Ald. Matichek, to accept the withdrawal and file the application. **All ayes; motion approved.**

Jessica L. Mischler appeared before the committee to discuss her application. After discussion of her record and her failure to include violations on her application, and after a positive recommendation from the Sheboygan Police Department, Ald. Matichek moved, seconded by Ald. VanderWeele, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **Three ayes and one nay (Ald. Lessard); motion approved.**

Marilyn Razo-Valle failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Ms. Razo-Valle's appearance before the committee at its March 26th meeting. **All ayes; motion approved.**

Scott A. Sonnemann appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Matichek moved, seconded by Ald. Lessard, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **All ayes; motion approved.**

Christine A. Stangel appeared before the committee to discuss her application. Ms. Stangel indicated that her business affiliation with Abby Taxi is now severed and the Abby Taxi business license was surrendered permanently on March 5, 2013. After discussion of her record, Ald. Lessard moved,

seconded by Ald. Matichek, to deny the license application based upon her record of unlawful and improper involvements. **All ayes; motion approved.**

Darrell L. Van Sluys appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, and after a positive recommendation from the Sheboygan Police Department, Ald. Matichek moved, seconded by Ald. Lessard, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **All ayes; motion approved.**

Possible action regarding Taxicab Op. Lic. No. 9748 (Roxanna M. Ramirez)

Roxanna M. Ramirez failed to appear before the committee. Ald. Lessard moved, seconded by Ald. Matichek, to schedule a quasi-judicial hearing. **Three ayes and one nay (Ald. VanderWeele); motion approved.**

Update regarding voluntary surrender of Alc. Bev. Lic. No. 2919-Bomallies (Marc J. Ehler, Agent)

ACA Adams informed the committee that Marc Ehler surrendered the license on February 26, 2013.

Update regarding voluntary surrender of Taxicab Business Lic. No. 2846-Abby Taxi (Christine A. Stangel, Agent)

ACA Adams informed the committee that Christine Stangel surrendered the license on March 5, 2013.

Possible Quasi-Judicial hearing to determine whether Alc. Bev. Lic. No. 2720-Rehab Bar & Grill (Rufino C. Martinez, Jr., Agent) and Bev. Op. Lic. No. 5551 (Amanda K. Martinez) shall be suspended or revoked

ACA Adams informed the committee that he has been in contact with Attorney Szygelski and they are working to limit the issues in disagreement so that only those issues will need to be addressed at the quasi-judicial hearing to be scheduled at a later date.

Possible Quasi-Judicial hearing to determine whether Taxicab Business Lic. No. 2525-All Star Taxi I (Jose A. Razo, Agent) shall be suspended or revoked

The hearing will be scheduled at a later date, unless the business is already closed. Christine Stangel has stated earlier in the meeting that All Star Taxi had closed on March 6th.

Possible Quasi-Judicial hearing to determine whether Taxicab Business Lic. No. 2847-VIP Taxi LLC (Abraham Loya, Agent) shall be suspended or revoked

The hearing will be scheduled at a later date.

Gen. Ord. No. 52-12-13 (3-4-13)

An ordinance amending Section 130-59 of the City of Sheboygan Municipal Code so as to create and clarify regulations related to taxicabs [*fares*] in the city.

Gen. Ord. No. 53-12-13 (3-4-13)

An ordinance amending Section 130-59 of the City of Sheboygan Municipal Code so as to create and clarify regulations related to taxicabs [*license year*] in the city.

The two proposed general ordinances were discussed in detail. Ald. Lessard moved, seconded by Ald. Matichek, to approve the proposed ordinances and submit them to the common council with a favorable recommendation. **All ayes; motion approved.**

R.O. No. 287-12-13 (3-4-13) – Various License Applications

Submitting various license applications for the period ending June 30, 2013 and June 30, 2014.

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 8866 (Nicolaus J. Marzahl). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to call in Bev. Op. Lic. App. No. 8206 (Stacy L. Mertzig) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to call in Taxicab Op. Lic. App. No. 9893 (Jessie M. Streff) to discuss her application with the committee. **All ayes; motion approved.**

Abraham Loya was present and discussed his application with the committee. After discussion of his record, which includes a 2013 No Taxicab License and a 2013 Cab Light/Sign violation, Ald. Lessard moved, seconded by Ald. Matichek, to deny the license application (Taxicab Op. Lic. App. No. 9127) based upon Mr. Loya's record of violations related to the licensed activity and a negative recommendation from the Sheboygan Police Department. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske to call in Taxicab Op. Lic. App. No. 9890 (Adam M. Steward) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to call in Taxicab Op. Lic. App. No. 9492 (Trayel J. West) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to grant the remainder of the license applications for individuals and entities listed on the above-referenced R.O. **All ayes; motion approved.**

Discussion regarding the number of available "Class B" alcohol beverage licenses

There are currently two available licenses. Because the Clerk's office has indicated that there may be some interest in the licenses, the committee will have presentations at its March 26th meeting.

Discussion and possible action regarding law violations that may require future action by the Committee

After hearing a brief report from ACA Adams regarding an accident on January 13, 2013 involving an Independent cab which was never reported to the Clerk's office by Independent Cab, Ald. Lessard moved, seconded by Ald. Matichek, to call in Taxicab Business Lic. No. 2912-Independent Cab (Robert D. Phippen, Agent) to discuss the matter with the committee. **All ayes; motion approved.**

Ald. Lessard made a motion to adjourn. Ald. Matichek seconded the motion. **All ayes; motion approved.**

There being no further business to come before the committee, the meeting was adjourned at 3:15 p.m.

The next committee meeting is scheduled to be held on Tuesday, March 26, 2013 at 2:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.